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FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5966 OF 2005
IN
WRIT PETITION NO. 1587 OF 2004.

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Mr.Ajai Pal Singh for the applicant.

Mr.D.N. Salvi, PP for Union of India.

Mr.A.S. Shitole, A.P.P., for the respondent-State

CORAM: S.S. PARKAR &
ANOOP V. MOHTA, JJ.

DATED: 23RD SEPTEMBER, 2005.

P.C.:

. Since the Petition filed by this petitioner is subsequent to the order of this Court dated 17th August, 2004, in Criminal Writ Petition No.1587 of 2004, and which Petition has already been disposed of by the order dated 30th August, 2005, which is annexed as Exhibit-C to this application, the present application is absolutely misconceived and is not maintainable in law. The alternative prayer seeking permission to file a new Writ Petition has already been granted to the

petitioner at the end of paragraph 7 of the earlier order dated 17th August, 2004, when it is observed as follows: "In case that decision goes against the Petitioner, it will be open to him to have recourse to the appropriate proceedings."

2. In the result, this application is rejected. However, it will be open to the applicant to adopt proceedings available to him under law to challenge the order dated 30th August, 2005, passed by the Under Secretary to the Government of India.

[S.S. PARKAR, J.]

[ANOOP V. MOHTA, J.]